

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF MORTGAGE LENDING

Before the Commissioner of the Division of Mortgage Lending

In the Matter of:)
DIVISION OF MORTGAGE LENDING,) Order No. 2015-039
Petitioner,)
v.) Case No. 2015-039
CCM LENDING,)
Mortgage Broker License No. UNL,)
and)
JOEL ARMSTRONG,)
Mortgage Broker License No. UNL,)
Mortgage Agent License No. 48304,)
NMLS ID No. 383660,)
Respondents.)

CONSENT ORDER TO CEASE AND DESIST VIOLATING NRS 645B AND NAC 645B,
IMPOSING AN ADMINISTRATIVE FINE,
AND ASSESSING INVESTIGATIVE COSTS

Issued and Entered,
This 28th day of February, 2017,
By Cathy Sheehy,
Commissioner

The Commissioner of the State of Nevada, Department of Business and Industry, Division of Mortgage Lending (the "Commissioner") having been statutorily charged with the responsibility and authority to administer and enforce Chapter 645B of the Nevada Revised Statutes, NRS 645B.010 *et seq.* ("the Statute"), and Chapter 645B of the Nevada Administrative Code, NAC 645B.001 *et seq.* ("the Regulation") (collectively "the Act"), governing the licensing and conduct of mortgage brokers and mortgage agents in the State of Nevada; and,

1 The Commissioner having been granted general supervisory power and control and
2 administrative enforcement authority over all mortgage brokers and mortgage agents doing business in
3 the State of Nevada pursuant to the Statute; and,

4 The Commissioner having been further vested with broad authority to conduct investigations to
5 determine whether any person has violated any provision of the Act; and,

6 NRS 645B.900 prohibiting any person from offering or providing the services of a mortgage
7 broker or mortgage agent, or otherwise from engaging in, carrying on, or holding himself or herself out
8 as engaging in or carrying on the business of a mortgage broker or mortgage agent without first
9 obtaining such license issued under the Statute unless the person is exempt; and,

10
11 JOEL ARMSTRONG (“ARMSTRONG”) having been granted a mortgage agent license
12 (License No. 48304, NMLS ID. No. 383660) pursuant to the Statute on October 26, 2010, and whose
13 current licensure status as a Nevada mortgage agent is “approved-inactive;” and,

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15 The Division of Mortgage Lending (the “Division”) having received information indicating that
16 ARMSTRONG (while associated with and employed by a Nevada-licensed mortgage broker) founded
17 and operated an entity identified as CCM LENDING (“CCM”), the website for which offered the
18 services of ARMSTRONG AND CCM (collectively, the “RESPONDENTS”) as mortgage brokers,
19 specifically advertising its offered services as direct, hard-money lenders for real estate loans
20 throughout Nevada, the financing as secured by residential property; and,

21
22 Neither CCM nor ARMSTRONG having been licensed as a mortgage broker in Nevada under
23 the Statute, or having been exempt from such licensure under the Statute at any time relevant to this
24 matter; and,

25 Division Staff having conducted and completed an investigation of RESPONDENTS’ business
26 practices and activities pursuant to NRS 645B.060(2)(c), and based upon the findings of that
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1 investigation determined that contrary to NRS 645B.900, RESPONDENTS were engaged in activity
2 requiring licensure as a mortgage broker; and,

3 RESPONDENTS having been served on or about May 5, 2016, and in accordance with NRS
4 233B.127(3), with an ORDER TO CEASE AND DESIST, ORDER IMPOSING AN
5 ADMINISTRATIVE FINE AND INVESTIGATIVE COSTS, ORDER TO PRODUCE RECORDS,
6 AND NOTICE OF OPPORTUNITY FOR ADMINISTRATIVE HEARING providing
7 RESPONDENTS with (1) notice of facts or conduct which warrant disciplinary action against
8 RESPONDENTS, and (2) notice of their opportunity for an administrative hearing; and,
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10 An informal conference having been conducted by the Division with RESPONDENTS and their
11 attorney on July 18, 2016; and,

12 RESPONDENTS having expressed their intent to comply with the Act and desire to cooperate
13 with the Division and to avoid the time and expense involved in a formal administrative enforcement
14 hearing; and,
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16 The Division and RESPONDENTS having conferred concerning this matter and determined to
17 resolve this matter pursuant to the following terms:

18 1. RESPONDENTS agree to henceforth CEASE AND DESIST from any and all violations
19 of the Act; and,

20 2. RESPONDENTS acknowledge and understand that the Statute prohibits them from
21 advertising, offering, or providing any of the services of a mortgage broker or otherwise engaging in,
22 carrying on, or holding himself or herself out as engaging in or carrying on the business of a mortgage
23 broker in Nevada without first obtaining licensure as a mortgage broker issued by the Commissioner
24 pursuant to the Statute, unless the person is exempt from the provisions of the Statute; and,
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26 3. RESPONDENTS agree to pay to the Division an ADMINISTRATIVE FINE in the
27 amount of \$2,500.00; and,
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1 4. RESPONDENTS agree to pay to the Division the Division's INVESTIGATIVE COSTS
2 in the amount of \$1,100.00 in accordance with NRS 622.400; and,

3 5. RESPONDENTS understand and agree that failure to strictly comply with each and
4 every provision of this Order is a violation of NRS 645B.670(1)(c)(12) and is grounds for any discipline
5 authorized under the Act.

6 RESPONDENTS, having knowingly and voluntarily affixed their signature to the attached
7 VOLUNTARY CONSENT TO ENTRY OF COMMISSIONER'S CONSENT ORDER (the "Voluntary
8 Consent"), incorporated herein by this reference, have consented to the issuance of this Order with the
9 intent to be legally bound hereby, and having waived and relinquished any and all rights that
10 RESPONDENTS may now or hereafter have to be served with a notice of charges and an administrative
11 hearing in this matter or to judicial review of, or otherwise challenge or contest, the entry of this Order;
12 and,
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14 RESPONDENTS having had opportunity to consult with legal counsel of their choosing
15 concerning this matter; and,
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17 The Commissioner having made the following FINDINGS and CONCLUSIONS based upon the
18 foregoing and the books and records of the Division:

19 1. The Commissioner has jurisdiction and authority to issue this Order in this matter,
20 pursuant to the Nevada Administrative Procedures Act ("NAPA"), NRS 233B.010 *et seq.*, and the
21 Mortgage Brokers and Mortgage Agents Act, NRS 645B.010 *et seq.*
22

23 2. All required notices have been issued in this matter, and the notices and service thereof
24 were appropriate and lawful in all respects.

25 3. The terms of this Order are a reasonable resolution of this matter and in the public
26 interest.

27 4. All applicable provisions of NAPA and NRS 622 have been met.
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